

Congress of the United States

Washington, DC 20510

March 23, 2020

John R. Cohen, MD
Executive Chairman
BioReference Laboratories
481 Edward H. Ross Drive
Elmwood Park, NJ 07407

Dear Dr. Cohen,

We write with great concern that BioReference Laboratories has not committed to fully reporting the number of SARS-CoV-2 tests administered. An accurate report of both the number of tests conducted *and* the results of those tests will provide epidemiologists and our public health community writ large with a more accurate understanding of outbreak. Only with a full suite of data can we bring this pandemic under control.

As you know, testing delays have hampered the country's response to COVID-19.¹ This is exacerbated by the differing ways states and federal agencies report data.² As reported in the *New York Times*, "an internet community effort, called the COVID Tracking Project, is attempting to provide a fuller picture of testing in the United States."³ According to the tracker, as of March 23, 2020, a total of 246,330 people have been tested.⁴ Yet according to the Centers for Disease Control and Prevention (CDC), only 4,607 specimens were tested by CDC labs and 67,263 specimens were tested by U.S. public health labs as of March 22 (and multiple specimens can come from one individual).⁵ This disparity is striking. You can do your part to close this data gap by reporting both the positive results as well as the total number of individuals tested.

Without reliable data epidemiologists are unable to measure the prevalence of the virus in a representative random sample of the general population.⁶ Moreover, the lack of data could possibility skew the fatality rate.⁷ To address these concerns please provide answers to the following questions no later than March 30, 2020. We appreciate your efforts to protect Americans and we look forward to your response.

1. Are you reporting to both the States and the CDC the total number of individuals tested for SARS-CoV-2?

¹ <https://www.nytimes.com/interactive/2020/03/17/us/coronavirus-testing-data.html>

² *Id.*

³ *Id.*

⁴ <https://covidtracking.com/data/>

⁵ <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/testing-in-us.html>

⁶ <https://www.statnews.com/2020/03/17/a-fiasco-in-the-making-as-the-coronavirus-pandemic-takes-hold-we-are-making-decisions-without-reliable-data/>

⁷ *Id.*

- a. If not, why? And do you plan to do so in the immediate future?
2. Even if a state is not reporting both the number of positive cases and the number of tested individuals, will you commit to making that data publicly available? If not, why?
3. Will you commit to restoratively providing data on the total number of individuals tested and making such data publicly available? If not, why?

It is important Americans understand both the number of tests conducted and the results of those tests to comprehend the magnitude of this pandemic. We urge you to make all information publicly available each day, including information on tests conducted and results that have already occurred.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Robert Menendez
United State Senator

A handwritten signature in blue ink that reads "Bill Pascrell Jr". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Bill Pascrell, Jr.
Member of Congress